City of Stuart

Sailfish Capital of the World

BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

ORDINANCE NUMBER 1994 - 04

INSTR # 1773327
OR BK 01930 PG 0149
RECORDED 08/11/2004 02:09:06 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
RECORDED BY C Burkey

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO ESTABLISH THE ZONING CLASSIFICATION FOR THE INDUSTRIAL PARK AT AVONLEA PARCEL BEING GENERALLY A 9.32 ACRE PARCEL OF LAND AT THE NORTH EAST CORNER OF SAVANNA ROAD AND STATE ROAD 707 WITHIN THE BOUNDARY OF SECTION 28, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA AS "INDISTRIAL PLANNED UNIT DEVELOPMENT" (I-PUD); PROVIDING THAT THE ZONING MAP OF THE CITY SHALL BE AMENDED ACCORDINGLY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the real property described in "Exhibit A" attached hereto and made a part hereof by reference, hereinafter the "Property," has been annexed into the City by voluntary annexation pursuant to s. 171.044, Florida Statutes; and

WHEREAS, an application for the rezoning of the Property was properly filed by the owner of the Property; and

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission meeting to consider the application for rezoning; and

WHEREAS, at the hearing the applicant showed by

substantial competent evidence that the application is consistent with the Comprehensive Plan of the City and with the procedural requirements of law; and

WHEREAS, the City Commission has determined that a denial of the application to rezone the Property would serve no legitimate public purpose.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The foregoing recitals are true and adopted as findings of fact and conclusions of law.

SECTION 2: A legal description of the Property is set forth in "Exhibit A" attached hereto and made a part hereof by reference. A map depicting the Property is attached hereto as "Exhibit B." An Industrial Planned Unit Development (I-PUD) agreement governing development of the Property's is attached hereto as "Exhibit C".

SECTION 3: The Property is hereby zoned Industrial Planned Unit Development (I-PUD). The zoning map of the City shall be amended in proper part to reflect this amendment.

SECTION 4: All ordinances or parts of ordinances in conflict with this ordinance or any part thereof be and the same are hereby

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repealed to the extent of such conflict.

SECTION 5: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 6: This ordinance shall take effect immediately upon adoption at second reading.

PASSED on first reading this 12th day of July, 2004.

ADOPTED on second reading this 26th day of July, 2004.

ATTEST:

CITY CLERK

JEFFREY A. KRAUSKOPF
MAYOR

APPROVED AS TO CORRECTNESS
AND TO FORM:

CARL V.M. COFFIN
CITY ATTORNEY

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TITLE: *INDUSTRIAL PARK @ AVONLEA*

PROJECT: *NORTHEAST PARCEL*

JOB No.: *04-004*

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 37S RANGE 41E, MARTIN COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN ON THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF NE SAVANNAH ROAD (STATE ROAD 723) WITH THE NW CORNER OF THE EAST 330 FEET OF LOT 11 GLUTSCH'S SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 213, PUBLIC RECORDS OF ST. LUCIE COUNTY NOW MARTIN COUNTY, FLORIDA; THENCE S 00° 56' 16"W ALONG THE WEST LINE OF THE EAST 330 FEET OF SAID LOT 11 A DISTANCE OF 535.43 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY, THENCE S 69° 59' 04" ALONG SAID NORTHERLY RIGHT-OF-WAY A DISTANCE OF 748.43 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 707, SAID POINT BEING ON A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 406.87 FEET (THROUGH WHICH A RADIAL LINE BEARS N 57°28'02" W); THENCE NORTHWESTERLY 158.99 FEET ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 22° 23' 20" TO A POINT OF TANGENCY; THENCE N 72° 58' 32" W CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 707, A DISTANCE OF 133.36 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 25 FEET, THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 53.86 FEET THROUGH A CENTRAL ANGLE OF 126° 26' 33" TO A POINT OF TANGENCY, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF NE SAVANNAH ROAD; THENCE N 50° 28' 02" E ALONG SAID SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 509.91 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1401.84 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 478.63 FEET THROUGH A CENTRAL ANGLE OF 19° 33' 45" TO A POINT OF TANGENCY; THENCE N 70° 01' 46" E STILL ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF NE SAVANNAH ROAD A DISTANCE OF 185.65 FEET TO THE POINT OF BEGINNING.

VELCON GROUP, INC.

ENGINEERS & SURVEYORS

702 S.W. PORT ST. LUCIE BLVD.
PORT ST. LUCIE, FLORIDA 34953

EXHIBIT A

OR BK 01930 PG 0152

NOT A SURVEY

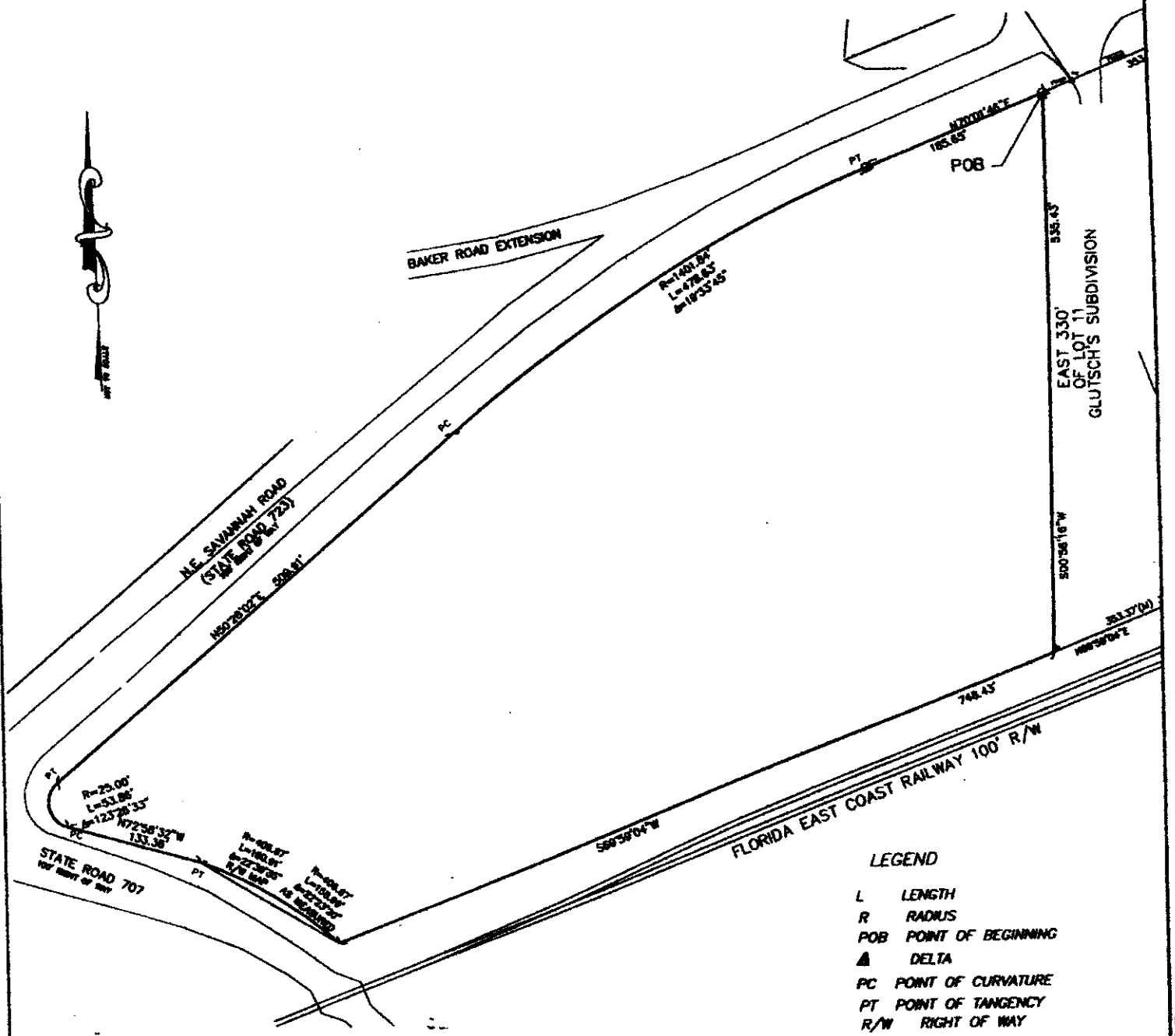
NOT TO SCALE

TITLE: INDUSTRIAL PARK @ AVONLEA

PROJECT: NORTHEAST PARCEL

JOB No.: 04-004

03/31/04



LEGEND

L	LENGTH
R	RADIUS
POB	POINT OF BEGINNING
Δ	DELTA
PC	POINT OF CURVATURE
PT	POINT OF TANGENCY
R/W	RIGHT OF WAY

VELCON GROUP, INC.

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SKETCH OF DESCRIPTION

Robert F. Kemerson

ROBERT F. KEMERSON

PROFESSIONAL SURVEYOR AND MAPPER

EXHIBIT B

OR BK 01930 PG 0153